

## **II. REMARKS**

### **A. Introduction**

Applicant submits this Response in a bona fide attempt to (i) advance the prosecution of this case, (ii) answer each and every ground of objection and rejection as set forth by the Examiner, (iii) place the claims in a condition for allowance, and (iv) place the case in better condition for consideration on appeal. Applicant respectfully requests reexamination and reconsideration of the above referenced patent application in view of this Response.

As indicated above, Claims 9, 11 and 15 have been amended, Claims 1-9, 12-14 and 16-18 canceled and new Claims 19-26 added.

Applicant respectfully submits that the noted amendments merely make explicit that which was (and is) disclosed or implicit in the original disclosure. The amendments thus add nothing that would not be reasonably apparent to a person of ordinary skill in the art to which the invention pertains.

### **B. Fees**

In a telephone call from the Examiner on August 14, 2006, the Examiner informed Applicant that an additional claim fee would be required due to the number of claims pending. With this amendment, Applicant cancels withdrawn claims 1-9, 12-13 and 16-18 so that the number of claims pending corresponds to the number already paid for.

### **C. Interview Summary**

Applicant thanks the Examiner for the telephone interviews conducted with their representative, Nathan Koenig. During the interview, USPN 5,244,169 to Brown et al. and potential amendments to the claims were discussed. Specifically, Applicant believes that it was agreed that Brown et al. disclose an air reservoir for maintaining pressure in the leading and trailing edges during flight. As such, it is Applicant's position that any regulator disclosed by Brown et al. would necessarily require air flow from the reservoir to the leading edge, when the air pressure in the reservoir is greater than the leading edge. In contrast, Applicant argued that the present invention has a valve that is designed to prevent flow from the rib strut to the leading edge. Applicant also believes agreement was reached with regard to the amendments to the claims that would help clarify this distinction. Accordingly, Applicant hereby submits this amendment.

## **SUPPLEMENTAL AMENDMENT**

#### **D. Elections/Restrictions**

As indicated above, the Examiner has stated that Claims 16-18 are directed to a distinct invention. Applicant has canceled those claims and added new Claims 24-26 that are related to the apparatus of Claim 9, so that the claimed apparatus cannot be used to practice another and materially different process. (MPEP 806.05(e)). Accordingly, Applicant respectfully submits that new method Claims 24-26 are not drawn to an independent invention and request that they be entered.

#### **E. Response to Rejections**

The Examiner has rejected Claims 9, 14 and 15 under 35 U.S.C. § 102(b) as being anticipated by USPN 5,244,169 to Brown et al. As discussed above, Claim 14 has been canceled. The Examiner contends that Brown et al. disclose a regulator, particularly as shown in FIG. 7, that is covered by the valve mechanism claimed by Applicants.

Applicant respectfully submits that Brown et al. is directed to a paraglider that is intended to be used at widely varying altitudes. As such, the air pressure surrounding the leading and trailing edges 30 and 31 will fluctuate considerably. As disclosed by Brown et al., 32' is a reservoir of high pressure air, connected by regulators to 30 and 31 to allow air to flow from 32' into 30 or 31 when pressure in 30 or 31 drops.

In contrast, Applicant's invention is directed to an inflatable aerodynamic wing that allows a user to quickly inflate the leading edge and rib struts. From a safety perspective, it is desirable to restrict the flow of air between the struts once the wing has been inflated. For example, if a leak were to develop in the leading edge strut, preventing air from flowing from the rib struts into the leading edge keeps the entire wing from deflating.

To emphasize this distinction, Applicant has amended Claim 9 to clarify that the valve mechanism used in the aerodynamic wings must have a second configuration that "prevents air flow from the rib strut to the leading edge strut when pressure in the rib strut is greater than pressure in the leading edge strut." In contrast, the explicit purpose of the Brown et al. apparatus is to allow air to travel from 32' to 30 whenever air pressure in 30 drops. For these reasons, Applicant submits that Brown et al. does not disclose all the elements of independent Claim 9 and request that the Examiner reconsider and withdraw the rejection over Brown et al.

#### **SUPPLEMENTAL AMENDMENT**

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Newly added Claims 19-23 are directed to specific embodiments of the invention, such as those shown in FIGS. 2 and 5 and described in paragraphs 31 to 33. Since these new claims all depend from Claim 9 and share the same fundamental limitations, Applicant respectfully submits that they are patentable over Brown et al. for the reasons given above.

Finally, newly added Claim 24-26 are directed to methods for using the aerodynamic wing of the invention. As suggested by the Examiner, these claims are drafted to comply with MPEP 806.05(e) so that the apparatus of Claim 9 can not be used to practice another and materially different process. Accordingly, Applicant respectfully submits that new Claims 24-26 are not drawn to an invention independent of Claim 9 and therefore should not be subject to restriction. Moreover, since they share similar limitations, Applicant submits that Claims 24-26 are patentable over Brown et al. for the reasons discussed above.

#### F. Allowable Subject Matter

Applicant thanks the Examiner for the indication of allowability regarding Claim 11 if it were rewritten. However, Applicant respectfully submits that in light of the arguments and amendments to the base claim presented above, Claim 11 is allowable in its current form.

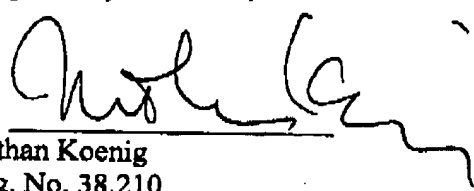
### III. CONCLUSION

Applicant, having answered each and every ground of rejection as set forth by the Examiner, and having added no new matter, believes that this response clearly overcomes the references of record, and now submits that all claims in the above-referenced patent application are in condition for allowance and the same is respectfully solicited.

If the Examiner has any further questions or comments, Applicant invites the Examiner to contact their Attorney of record at the telephone number below to expedite prosecution of the application.

Respectfully submitted,

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SUPPLEMENTAL AMENDMENT

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